UNITED STATES PATENT AND TRADEMARK OFFICE

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10/588,238	04/18/2007	Yoshinari Endo	FUJI 188NP	5424

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _31 December 2007_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-19_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-19_ is/are rejected.

7)☒ Claim(s) _14 and 15_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _03 August 2006_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _12/31/07,9/13/07,8/27/07,10/23/06_.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

The instant application having Application No. 10/588,238 filed on 4/18/07 is

presented for examination by the examiner.

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C.

119(a)-(d). The certified copy has been received.

Information Disclosure Statement

The information disclosure statement filed 12/31/07 fails to comply with the

provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because it does not contain a list of

the relevant document such as provided by form 1449/PTO. Examiner has read the

indication of an included Korean examination report but does not find such document

dated 10-26-07. In the record there is a patent examination report from June 26, 2007.

Examiner requests the Applicant submit a 1449 form including the correct non-patent

literature document. It has been placed in the application file, but the information

referred to therein has not been considered as to the merits. Applicant is advised that

the date of any re-submission of any item of information contained in this information

disclosure statement or the submission of any missing element(s) will be the date of

submission for purposes of determining compliance with the requirements based on the

time of filing the statement, including all certification requirements for statements under

37 CFR 1.97(e). See MPEP § 609.05(a).

Specification

The abstract of the disclosure is objected to because it contains drawing references. Correction is required. See MPEP § 608.01(b).

Title

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "16" has been used to designate both display unit and data lines. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 14 and 15 are objected to because of the following informalities: they are

dependent claim buts refer to their parent claims by the word "an". Dependent claims

should refer to their parent claims with the word "the" so it is clear that the claimed

invention has the same limitations of the parent claim.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming
the subject matter which the applicant regards as his invention.

Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Claim 1 is indefinite because of the phrase "an additional information processing

system". The phrase has a dual meaning and is not possible to ascertain the difference

between whether the additional information processing system is one entity or an

additional entity to some unknown other entity. The word additional implies the notion

of there being some other entity in which the system communicates with but there is no

citation of another entity. Claims 2-16 are likewise rejected for having at least the same

indefiniteness.

As per claim 10, its dependency to claim 1 is ambiguous by the fact that it

references a processing system whereas claim 1 refers to an apparatus. Dependent

claims should further limit the parent claims by including all of the limitation of the

parent. It appears Applicant has intended claims 10 to be an independent claim but it

definitely depends on claim 1. Therefore Examiner is treated it as a dependent claim.

Appropriate correction is required.

Claims 11-15 and 18 likewise fail to further limit their parent claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 10-13, 16, and 18 are rejected under 35 U.S.C. 102(b) as being

anticipated by JP 2001-218030 to Oki, hereinafter Oki.

As per claim 1, Oki teaches an additional information processing apparatus

comprising:

an image acquisition component which acquires input image data in which additional

information is embedded (0018);

an extracting [analyzing] component which extracts the additional information from the

input image data (0018); and

an additional information modification component which generates new additional

information by modifying the additional information when determining that the additional

information complies with a predetermined condition, and generates copied image data

by embedding the new additional information into the input image data or image data

obtained by removing the additional information from the input image data (0053-0054).

As per claim 2, Oki teaches said additional information contains copy control

information for limiting an allowable number of times the input image data is copied

(0018); and

when determining that the copy control information contains a variable value

representing permission to copy the input image data, said additional information

modification component generates the new additional information by modifying the

variable value and generates the copied image data (0054).

As per claim 3, Oki teaches said additional information contains copy control

information for limiting an allowable number of times the input image data is copied; and

when determining that the copy control information contains a variable value

representing permission to copy the input image data, said additional information

modification component generates the new additional information by modifying the

variable value and generates the copied image data (0054).

As per claim 10, Oki teaches a scanner which obtains the input image data by

optically scanning a printed medium in which the additional information is embedded;

and a printer which prints out the copied image data (0012-0013).

As per claim 11, Oki teaches a data receiving unit which receives image data transmitted through a communication line and provides the received image data to the image acquisition component (0013).

As per claim 12, Oki teaches a data sending unit which sends the copied image data to said communication line (0013).

As per claim 13, Oki teaches a display unit which displays one or both of the additional information extracted by said extracting component and the new additional information (0014).

As per claim 18, Oki teaches a data sending unit which sends the copied image data to said communication line (0013).

As per claim 16, Oki teaches an additional information processing method comprising the steps of:

(a) acquiring input image data in which additional information is embedded (0018);

(b) extracting the additional information from the input image data (0018);

(c) determining whether or not the extracted additional information complies with a predetermined condition (0018); and

(d) generating new additional information by modifying the additional information when it is determined in said step (c) that the additional information complies with said predetermined condition, and generating copied image data by embedding the new additional information into the input image data or image data obtained by removing the additional information from the input image data (0053-0054).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 4-9, 14, 15, 17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oki in view of USP 6,664,976 to Lofgren et al., hereinafter Lofgren.

As per claim 4, Oki is silent in disclosing an additional information modification component modifies the variable value by a smaller amount with a higher level of access authorization of a user, and modifies the variable value by a larger amount with a lower level of the access authorization level of a user. Lofgren teaches an additional information modification component modifies the variable value by a smaller amount with a higher level of access authorization of a user, and modifies the variable value by a larger amount with a lower level of the access authorization level of a user (col. 9, lines 1-25). Lofgren, which uses a granular access method to protected content, teaches that users must meet certain authentication levels in order to access such content. Lofgren uses bits in the watermarking to differentiate between access levels. There is obvious some type of an order whereby only users with the most clearance can access all the content. On the contrary, users with low clearance can only access the less classified content. Such a teaching, obviously benefits Oki's system in which really the only two types of protection for the content is the number of copies and number of

pages printed. The use of known technique to improve similar devices in the same way is obvious to one of ordinary skill in the art. The claim would have been obvious because the technique for improving watermarking copy prevention was part of the ordinary capabilities of a person of ordinary skill in the art at the time of the invention, in view of the teaching of granular user access levels in Lofgren.

As per claim 5, Oki teaches recording component which stores the additional information extracted by said extracting component (0018). Oki is silent in disclosing when determining that the additional information contains a flag value representing image data of an original file and the same additional information is not stored in said recording component, said additional information modification component generates the new additional information to write the generated new additional information into the recording component and generates the copied image data;

when determining that the additional information contains a flag value representing the image data of an original file and that the same additional information is stored in said recording component, said additional information modification component modifies the variable value that is contained within the additional information stored in said recording component, and generates the new additional information and the copied image data;

and when determining that the additional information contains a flag value not representing the image data of an original file, said additional information modification component does not generate the copied image data. Lofgren teaches when determining that the additional information contains a flag value representing image data of an original file and the same additional information is not stored in said recording

component, said additional information modification component generates the new

additional information to write the generated new additional information into the

recording component and generates the copied image data (col. 6, lines 39-40);

when determining that the additional information contains a flag value representing the

image data of an original file and that the same additional information is stored in said

recording component, said additional information modification component modifies the

variable value that is contained within the additional information stored in said recording

component, and generates the new additional information and the copied image data

(col. 6, lines 40-45); and

when determining that the additional information contains a flag value not representing

the image data of an original file, said additional information modification component

does not generate the copied image data (col. 6, lines 20-25). Each of these steps is a

means to handle particular types of content one is dealing with. There are three content

types, one for each respective clause. The first type is a new original document with a

watermarking. The second type is an original document with new additional

information. And the third type is a non original type or copied. Lofgren system handles

each of these types of documents in a controlled system that prevents users who

should not have access to or modify such content. Again Lofgren's system adds more

features and provides a greater level of security than what is taught by Oki. Therefore

one of ordinary skill in the art would see these features as improvements to Oki's

system. Applying a known technique in a known way to a known device to yield

predictable results is obvious. Therefore the claim would have been obvious because a

particular known technique was recognized as part of the ordinary capabilities of one skilled in the art.

As per claim 6, Oki is silent in disclosing determining that the additional information contains a flag value representing image data of an original file, said additional information modification component generates the new additional information by changing the flag value to a value not representing image data of an original file, and generates the copied image data. Lofgren teaches determining that the additional information contains a flag value representing image data of an original file, said additional information modification component generates the new additional information by changing the flag value to a value not representing image data of an original file, and generates the copied image data (col. 6, lines 40-45). Examiner relies upon the same rationale for combining the teachings of Lofgren with the teachings of Oki as a means to improve on the system of Oki as cited above.

As per claim 7, Oki is silent in disclosing determining that a level of access authorization of a user is equal to or larger than a predetermined level, said additional information modification component can provide the copied image data having the same additional information as that of the input image data, without generating the new additional information. Lofgren teaches determining that a level of access authorization of a user is equal to or larger than a predetermined level, said additional information modification component can provide the copied image data having the same additional information as that of the input image data, without generating the new additional information (col. 9, lines 1-17). Examiner relies upon the same rationale for

combining the teachings of Lofgren with the teachings of Oki as a means to improve on the system of Oki as cited in the rejection of claim 4.

As per claim 8, Oki is silent in disclosing additional information modification component generates the new additional information by adding personal identification information of a user to the additional information. Lofgren teaches additional information modification component generates the new additional information by adding personal identification information of a user to the additional information (col. 4, lines 40-50 and col. 9, lines 64-67). Examiner relies upon the same rationale for combining the teachings of Lofgren with the teachings of Oki as a means to improve on the system of Oki as cited in the rejection of claim 4.

As per claim 9, Oki is silent in disclosing additional information modification component generates the new additional information by adding identification information of a system to the additional information, said additional information processing apparatus is integrated in said system. Lofgren teaches additional information modification component generates the new additional information by adding identification information of a system to the additional information, said additional information processing apparatus is integrated in said system (col. 4, lines 40-50). Examiner relies upon the same rationale for combining the teachings of Lofgren with the teachings of Oki as a means to improve on the system of Oki as cited above.

As per claim 14, Oki is silent in disclosing an information reading unit which reads personal identification information from a recording medium storing the personal identification information of a user, and provides the read personal identification

information to said additional information processing apparatus. Lofgren teaches an

information reading unit which reads personal identification information from a recording

medium storing the personal identification information of a user, and provides the read

personal identification information to said additional information processing apparatus

(col. 9, lines 40-45). Examiner relies upon the same rationale for combining the

teachings of Lofgren with the teachings of Oki as a means to improve on the system of

Oki as cited above.

As per claim 15, Oki is silent in disclosing an information reading unit which

reads access authorization from a recording medium storing the access authorization of

a user, and provides the read access authorization to said additional information

processing apparatus. Lofgren teaches an information reading unit which reads access

authorization from a recording medium storing the access authorization of a user, and

provides the read access authorization to said additional information processing

apparatus (col. 9, lines 42-44). Examiner relies upon the same rationale for combining

the teachings of Lofgren with the teachings of Oki as a means to improve on the system

of Oki as cited above.

As per claim 17, Oki is silent in disclosing an additional information modification

component modifies the variable value by a smaller amount with a higher level of

access authorization of a user, and modifies the variable value by a larger amount with

a lower level of the access authorization level of a user. Lofgren teaches an additional

information modification component modifies the variable value by a smaller amount

with a higher level of access authorization of a user, and modifies the variable value by

a larger amount with a lower level of the access authorization level of a user (col. 9,

lines 1-25). Lofgren which uses a granular access method to protected content teaches

that users must meet certain authentication levels in order to access such content.

Lofgren uses bits in the watermarking to differentiate between access levels. There is

obvious some type of an order whereby only users with the most clearance can access

all the content. On the contrary, users with low clearance can only access the less

classified content. Such a teaching, obviously benefits Oki system in which really the

only two types of protection for the content is the number of copies and number of

pages printed. The use of known technique to improve similar devices in the same way

is obvious to one of ordinary skill in the art. The claim would have been obvious

because the technique for improving watermarking copy prevention was part of the

ordinary capabilities of a person of ordinary skill in the art at the time of the invention, in

view of the teaching of granular user access levels in Lofgren.

As per claim 19, Oki is silent in disclosing an information reading unit which

reads access authorization from a recording medium storing the access authorization of

a user, and provides the read access authorization to said additional information

processing apparatus. Lofgren teaches an information reading unit which reads access

authorization from a recording medium storing the access authorization of a user, and

provides the read access authorization to said additional information processing

apparatus (col. 9, lines 42-44). Examiner relies upon the same rationale for combining

the teachings of Lofgren with the teachings of Oki as a means to improve on the system

of Oki as cited above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure is listed on the enclosed PTO-892 form.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to MICHAEL R. VAUGHAN whose telephone number is

(571)270-7316. The examiner can normally be reached on Monday - Thursday, 7:30am

- 5:00pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

Customer Service Representative or access to the automated information system, call

800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. R. V./
Examiner, Art Unit 2431
/Syed   Zia/
Primary Examiner, Art Unit 2431